

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, Tanner L. Buechler, Task Force Officer, United States Department of Justice, Federal Bureau of Investigation (FBI), being duly sworn, state:

I. INTRODUCTION

1. I am a Detective with the Billings Police Department where I have been assigned to the Eastern Montana High Intensity Drug Trafficking Area (EMHIDTA) task force since 2017. I currently hold the title of Task Force Officer (TFO) for FBI Big Sky Western Transnational Organized Crime Task Force (BSWTOCTF) for the Billings, Montana Resident Agency. I have been employed with the Billings Police Department since September of 2007. During this time, I have conducted routine uniformed patrol responsibilities and as a Detective, I have investigated complex cases involving Drug Trafficking Organizations (DTO's). I have been a member of the Billings Police Departments SWAT team since 2011. During my time working in law enforcement, I have attended multiple training courses pertaining specifically to drug investigations. I have taken part in cooperating witness interviews, cooperating defendant interviews, and debriefs with confidential human sources as part of my assigned duties. The information contained in this affidavit is based on my own observations, training and

experience and information provided to me by other task force members or other law enforcement officers.

2. Throughout my career, I have discussed with numerous law enforcement officers, cooperating defendants, and informants, the methods and practices used by gang members and narcotics distributors, and I am familiar with their typical methods of operation, including, the manufacturing, distribution, storage and transportation of narcotics, and the collection of money, which represents the proceeds of narcotics trafficking and money laundering.

II. DESCRIPTION

3. This Affidavit is submitted in support of a Criminal Complaint issued for Kyngsten BARGAR with date of birth (DOB) 09/07/1992, charging him with Possession with Intent to Distribute Narcotics, in violation of Title 21, United States Code, Section 841(a)(1). The statements in this Affidavit pertain to the investigation described below and are based in part on information provided by my own observations and experience as an FBI Task Force Officer, and the observation and experiences of other fellow law enforcement officers participating in the investigation. This Affidavit does not purport to contain all facts related to

this investigation, but only those facts necessary to establish probable cause with respect to the aforementioned offense.

III. PROBABLE CAUSE

4. Since approximately July 2021, investigators with Eastern Montana High Intensity Drug Trafficking Area (EMHIDTA) and FBI have received information pertaining to a male by the name of Kyngsten BARGAR frequently engaging in bulk drug distribution of illicit drugs in the Billings, Montana area. The information has been obtained through investigative interviews as well as communications with sources of information.

5. Agents had received intelligence from two (2) separate sources of information in January of 2022. The information provided was that BARGAR travels out of the state of Montana frequently to obtain illicit drugs where he will then transport the drugs back to Montana. The sources of information had also stated that BARGAR would traffic a variety of different illicit drugs into the community as well.

6. Both of the sources of information had provided similar information about BARGAR. These Sources of information had provided information, which was either previously known to the Agents of EMHIDTA task force or provided information, which was not known but eventually found to be credible and reliable through further investigations.

7. Investigators received information in late January 2022 from one of the previously mentioned Sources of information stating that BARGAR had travelled out of the state of Montana to an unknown location. The Source advised that there was a strong possibility BARGAR would return with illicit drugs.

Investigators with the EMHIDTA Task Force obtained a District of Montana Search warrant for a PEN Register and Trap and Trace pertaining to a phone number identified as being utilized for illicit drug business by BARGAR.

8. In January of 2022, Agents with EMHIDTA task force received the data back from the PEN Register, which showed BARGAR to be in Spokane, Washington. Your Affiant then spoke with the Source of information, and they stated that they had learned recently that BARGAR was in Washington and this was a location BARGAR would traffic illicit drugs from.

9. On February 18, 2022, Agents observed new data showing BARGAR to be travelling east from Spokane, Washington into Montana. Agents were unaware of a specific vehicle in which BARGAR may be travelling in. Agents were aware that BARGAR utilizes multiple vehicles when transporting illicit drugs into Montana to evade law enforcement detection.

10. Agents with EMHIDTA task force requested the assistance of Montana Highway Patrol (MHP) as an attempt to locate a vehicle BARGAR may be travelling in. Troopers with MHP were provided updates of approximate

locations as BARGAR travelled further East into Montana. MHP Troopers were also advised that BARGAR had started his travels from Washington State and was travelling in an unknown vehicle.

11. Around late morning on February 18, 2022, a MHP trooper observed a Washington plated passenger car travelling east bound on I-90 east of Reed Point Montana. The MHP Trooper noted that the vehicle was travelling too closely to the vehicle in front of it. The MHP Trooper conducted a traffic stop on the vehicle based off the traffic infraction. The MHP Trooper identified BARGAR as the driver of the vehicle and alerted Agents with EMHIDTA task force of the stop. The MHP Trooper also identified a passenger as Antonio BROWN. The MHP Trooper advised that both BROWN and BARGAR had conflicting stories of their travels as well as conflicting stories of how the pair were associated with each other.

12. Agents with EMHIDTA task force responded to the traffic stop location and conducted mirandized statements with BROWN and BARGAR where they again provided conflicting stories of their association with each other and reasons for travelling to Billings Montana. After the interviews were conducted, BARGAR was released. BROWN was transported to YCDF for pictures and fingerprints due to discrepancies in his interview, which had led investigators to question his identity. BROWN was released after his identity had been verified.

The vehicle BROWN and BARGAR were travelling within was then searched at the Billings Police Department Evidence Facility.

13. During a search of the vehicle, Agents located BROWN's Georgia Identification card in the front passenger area. In the rear passenger seating area of the vehicle, two firearms were located within a black backpack. One pistol had rounds in the magazine and a round in the chamber. The other pistol did not have a round in the chamber but did have rounds in the magazine. Agents searched the trunk compartment of the vehicle and located a tan safe. Agents observed that the safe utilized a barrel key to open. Agents observed a barrel key on the vehicle's car key lanyard, which belonged to the vehicle and were in BARGAR's possession at the time of the traffic stop. Within the safe Agents located (9) nine small bags of blue pills with markings of M30 on them. Based off previous investigations, these pills are commonly known to contain fentanyl. The pills were weighed with a total package weight of 959 grams or approximately 9500 pills. Agents also observed within the safe a large amount of United States currency, which had been previously bundled separately with rubber bands. One specific bundle of United States Currency contained BARGAR's paper copy of his Montana Driver's license.

14. On February 18, 2022, Using the MX908 High Pressure Mass Spectrometer (HPMS) instrument, Your Affiant tested a sample from within (1)

bag of pills seized from the vehicle and received a positive result for acetaminophen/paracetamol from the sample. This is known through training and previous experience of Drug Enforcement Agency (DEA) returned laboratory results to be a cutting agent for Fentanyl, which is a schedule II narcotic.

15. On February 21 2022, Using the MX908 High Pressure Mass Spectrometer (HPMS) instrument, TFO Bodine conducted two separate tests by crushing two individual blue pills from the seizure. Both presumptive tests returned positive for Acetaminophen, Xylazine and Mephedrone.

Acetaminophen is a common cutting agent in recreational drugs and often found in high-end fake oxycodone tablets (Blue M30 pills). Xylazine has been known to obscure the presence of fentanyl when measured with the MX908.

Mephedrone is a schedule I substance and there is no accepted medical use for Mephedrone.

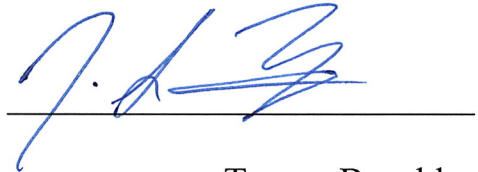
16. The seized blue pills will be sent to the Drug Enforcement Agency laboratory for further testing.

CONCLUSION

17. Based upon my knowledge of the overall investigation, I believe Kyngsten BARGAR is involved in distribution of illicit drugs in Montana. Moreover, based upon my training, experience, and totality of the evidence noted

herein, I believe probable cause exists that Kyngsten BARGAR possessed with the intent to distribute Mephedrone – a Schedule I controlled substance – in violation of Title 21, United States Code, Section 841(a)(1), in the State and District of Montana on February 18 2022. Your Affiant also strongly believes the DEA laboratory results will show fentanyl within the evidence sent to them and this is based off previous experience where all M30 pills sent to DEA laboratory return positive for fentanyl.

18. I swear that the facts presented herein are true and accurate to the best of my knowledge.



Tanner Buechler
Task Force Officer
Federal Bureau of Investigation

SWORN TO BEFORE ME AND SIGNED BY ME PURSUANT TO FEDERAL RULE OF CRIMINAL PROCEDURE 4.1 AND 4(D) ON THE 22 DAY OF FEBRUARY, 2022.



Honorable Timothy J. Cavan
United States Magistrate Judge
District of Montana